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MUNICH, GERMANY

November 13, 2002

**BOX TTAB****NO FEE**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

RE: University of South California v. University of South Carolina  
Opposition No. 125,615

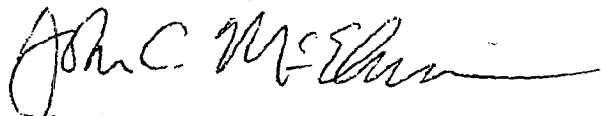
Dear Assistant Commissioner:

Please find enclosed an original and two copies of **Applicant/Petitioner's Consent Motion For An Extension of Time to Respond To The Registrants' Motion To Dismiss**. The parties are currently engaged in settlement negotiations and the Opposer/Registrant has consented to a two week extension of time explore such options. The present deadline for a response is November 18, 2002. Thus, the University of South Carolina respectfully requests an expedited ruling on this motion.

By copy of this letter we are serving the opposing counsel.

Thank you for your assistance in this matter.

Very truly yours,

  
John C. McElwaine

JCM:mmk

Enclosures

cc: Michael S. Adler, Esquire (w/encl.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

University of Southern California	)	Opposition No.: 125,615
	)	
Opposer,	)	Serial No.: 75/358,031
	)	
vs.	)	Mark: "SC" (Stylized)
	)	
University of South Carolina,	)	
	)	
Applicant.	)	
	)	
University of South Carolina	)	Opposition No.: 125,615
	)	
Petitioner,	)	Reg. No.: 1,844,953
	)	
vs.	)	Mark: SC Word Mark
	)	
University of Southern California	)	
	)	
Registrant.	)	
	)	

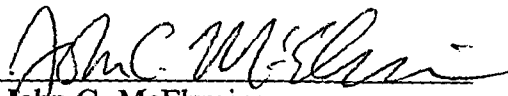
**CONSENT MOTION FOR AN EXTENSION OF TIME TO  
RESPOND TO THE REGISTRANTS' MOTION TO DISMISS**

COMES NOW, the applicant and petitioner, University of South Carolina ("Petitioner"), with the consent of opposer and registrant, University of Southern California ("Registrant"), pursuant to TMBP Section 502.03 and Rule 6(b) of the Federal Rules of Civil Procedure, and hereby requests that this Board grant the Petitioner an two week extension of time to file its response to the Registrant's Motion to Dismiss.

This action is an opposition proceeding filed by the University of Southern California against the University of South Carolina's application for "SC" (Stylized), Serial No. 75/358,031 on the basis of a likelihood of confusion with the University of Southern

California's "SC" Word Mark, Reg. No. 1,844,953. The University of South Carolina has counter-claimed to cancel this registration. The parties are currently engaged in serious settlement negotiations that may settle not only this counter-claim, but also, the underlying opposition proceeding. Thus, with the consent of the Registrant, the Petitioner respectfully requests a two week extension, until **December 2, 2003**, to respond to the Registrant's Motion to Dismiss.

NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.

By:   
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Attorneys for the University of South Carolina

Charleston, South Carolina

11/13, 2002

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, Virginia 22202-3513.

  
Margaret Kraham

Date: 11/13/2002

### CERTIFICATE OF SERVICE

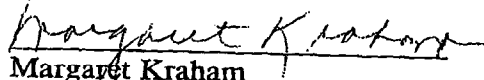
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough, L.L.P., attorneys for Applicant do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Postal Service First Class Mail, with proper postage thereon, to the following address(es):

Pleadings:

**CONSENT MOTION FOR AN EXTENSION OF TIME TO  
RESPOND TO THE REGISTRANTS' MOTION TO DISMISS**

Counsel Served:

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2029 Century Park East, Suite 4000  
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Margaret Kraham  
Administrative Assistant

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## Facsimile Cover Sheet

TO: Mr. Henry Jefferson FAX No. 703-308-9092  
COMPANY: \_\_\_\_\_ CITY: \_\_\_\_\_  
PHONE No. \_\_\_\_\_  
FROM: John C. McElwaine DID No. (843) 720-4302  
RETURN TO: Margaret Kraham FILE No. 13524/01501  
DATE/TIME: November 13, 2002 at 3:15 PM PAGES: 5 including cover sheet  
COMMENTS:

Henry,

This Consent Motion was filed via mail today by the University of South Carolina.

I would greatly appreciate a ruling on the Motion prior to November 18<sup>th</sup>.

Thanks for your help.

John

**CONFIDENTIALITY NOTICE:** The information contained in this facsimile message may be attorney privileged and confidential information and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

IF YOU DID NOT RECEIVE ALL PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE

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